

It appears that Applicant's submission of Lazar has created some confusion. Applicant would like to clarify that Lazar is not prior art to the present application.

As stated in Applicant's previous response, mailed October 7, 2002, Lazar is the "Appendix A" that is referred to in the specification of the present application. The article was submitted by Applicant in response to the Examiner's request that a copy of the article be provided. It is noted for the record that Lazar was also included as Appendix A in a parent of the present application (application No. 08/884,845, now U.S. Patent No. 6,026,044), and the parent's disclosure has been incorporated by reference in the present application. Accordingly, Lazar is properly regarded as a part of the present disclosure.

Further, Applicant has obtained confirmation from Paul Lazar and Ray Pinkham, two of the authors of the article, that the article was never published. Therefore, even if Lazar is not regarded as part of the present disclosure, it cannot be relied on as a prior art publication.

Because Lazar is not prior art, the rejection of claims 20-25 under 35 U.S.C. §103(a) cannot be maintained to the extent that the rejection relies on teachings of Lazar. Grounds for patentability of claims 20-25 over May were discussed in Applicant's previous response, and the present Office Action does not indicate any disagreement with those grounds.

Withdrawal of the rejection of claims 20-25 is respectfully requested.

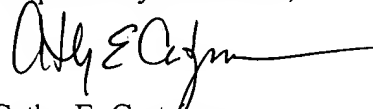
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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is urged. If the Examiner believes a telephone conference would aid in the prosecution of this case in any way, please call the undersigned at 415-576-0200.

Respectfully submitted,



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